

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Los Angeles Metropolitan Transportation Authority for an order authorizing the construction of two-track grade separated crossings for the Crenshaw/LAX Transit Corridor Project Light Rail Line across Hornet Way in the City of El Segundo, across Aviation Boulevard, I-105 Freeway, Imperial Highway, 111th Street, 104th Street and Century Boulevard in the City of Los Angeles and across Manchester Avenue, La Cienega Boulevard, I-405 Freeway, Hyde Park Boulevard, La Brea Avenue and two pedestrian at-grade crossings at the La Brea – Florence Stations in the City of Inglewood.

Application 13-02-025
(Filed February 11, 2013)

DECISION GRANTING AUTHORIZATION TO THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY TO CONSTRUCT TWO-TRACK GRADE-SEPARATED CROSSINGS FOR THE CRENSHAW/LAX TRANSIT CORRIDOR PROJECT LIGHT RAIL LINE ACROSS HORNET WAY IN THE CITY OF EL SEGUNDO, ACROSS AVIATION BOULEVARD, I-105 FREEWAY, IMPERIAL HIGHWAY, 111TH STREET, 104TH STREET AND CENTURY BOULEVARD IN THE CITY OF LOS ANGELES AND ACROSS MANCHESTER AVENUE, LA CIENEGA BOULEVARD, I-405 FREEWAY, HYDE PARK BOULEVARD, LA BREA AVENUE AND TWO PEDESTRIAN AT-GRADE CROSSINGS AT THE LA BREA – FLORENCE STATION IN THE CITY OF INGLEWOOD, LOS ANGELES COUNTY

Summary

This decision grants the Los Angeles County Metropolitan Transportation Authority authorization to construct two-track grade-separated crossings for the

Crenshaw/LAX Transit Corridor Project Light Rail Line across Horner Way in the City of El Segundo, across Aviation Boulevard, I-105 Freeway, Imperial Highway, 111th Street, 104th Street and Century Boulevard in the City of Los Angeles and across Manchester Avenue, La Cienega Boulevard, I-405 Freeway, Hyde Park Boulevard, La Brea Avenue and two pedestrian at-grade crossings at the La Brea - Florence Station in the City of Inglewood, Los Angeles County.

Discussion

The Crenshaw/LAX Transit Corridor Project Light Rail Line (Crenshaw Line) is an 8.5-mile double-tracked fixed guideway rail system. The Crenshaw Line begins from the southern terminus of the Los Angeles County Metropolitan Transportation Authority (LACMTA) Green Line at Imperial Highway and Aviation Boulevard, follows the abandoned 5.3 miles of the BNSF Railway Company (BNSF) Harbor Subdivision railroad right-of-way (ROW) adjacent to Aviation Boulevard and Florence Avenue, and then continues northeast to Crenshaw Boulevard. In this section of the proposed alignment, the tracks begin at the Green Line aerial station as an above-grade wye configuration, crossing over Aviation Boulevard and Horner Way. The tracks travel north as an above-grade structure, crossing under the I-105 Freeway, and above Imperial Highway. The tracks continue north above-grade and along Aviation Boulevard on a grade-separated structure, crossing 111th street before transitioning below-grade in a trench. The tracks continue below-grade, crossing 104th street before transitioning to the grade separation above Century Boulevard. The tracks continue at ground level across Arbor Vitae Street, where LACMTA will construct a train vehicle maintenance yard, and continue above Manchester Avenue on a grade-separated structure. The tracks continue northeast at ground level across Hindry Avenue to the structure above La Cienega Boulevard, the I-

405 Freeway, and Hyde Park Boulevard before returning to grade level across Oak Street, Cedar Street, Eucalyptus Avenue, and Ivy Street. The tracks continue above La Brea on a grade-separated structure and then transition back to ground level across Centinela Avenue, High Street, West Boulevard, and Brynhurst Avenue.

From the Florence Avenue and Crenshaw Boulevard intersection, the Crenshaw Line transitions north largely within the Crenshaw Boulevard ROW to the Exposition/Crenshaw Station, adjacent to the intersection of Crenshaw Boulevard and Exposition Boulevard. Along the Crenshaw Boulevard ROW, the double-track configuration will be constructed in a tunnel, except for the portion between 59th Street and 48th Street which will be at-grade and operate as street-running down the center of the Crenshaw Boulevard. The entire project will include six transit stations, one vehicle maintenance storage facility, and three park-and-ride lots.

The LACMTA proposes to construct a portion of the Crenshaw Line on two-track grade-separated crossing structures in the Cities of El Segundo, Los Angeles, and Inglewood; and two pedestrian at-grade crossings at the La Brea – Florence Station in the City of Inglewood, Los Angeles County. The table below lists relevant information and location for each proposed crossing.

Table 1: List of Crossings

Crossing Name	CPUC Crossing No.	Grade of Crossing	City
Hornet Way	84A-0.05-B	Separated	El Segundo
Aviation Boulevard	84A-0.04-B	Separated	Los Angeles
I-105 Freeway	84A-0.31-A	Separated	Los Angeles

Imperial Highway	84A-0.32-B	Separated	Los Angeles
111 th Street	84A-0.57-B	Separated	Los Angeles
104 th Street	84A-1.09-A	Separated	Los Angeles
Century Boulevard	84A-1.32-B	Separated	Los Angeles
Manchester Avenue	84A-2.33-B	Separated	Inglewood
La Cienega Boulevard	84A-2.83-B	Separated	Inglewood
I-405 Freeway	84A-2.87-B	Separated	Inglewood
Hyde Park Boulevard	84A-2.95-B	Separated	Inglewood
La Brea Avenue	84A-3.66-B	Separated	Inglewood
La Brea Pedestrian West	84A-3.78-D	At-Grade	La Brea - Florence Station, Inglewood
La Brea Pedestrian East	84A-3.84-D	At-Grade	La Brea - Florence Station, Inglewood

Pedestrian Crossings

As noted in Table 1 above, LACMTA proposes to construct two new pedestrian at-grade crossings at the La Brea-Florence Station. The at-grade crossings will be located at the north and south sides of the Crenshaw Line La Brea-Florence Station platform and will cross the northbound track. Each at-grade crossing will be constructed with the following features:

- Two California Public Utilities Commission (Commission) Standard 8 (flashing light signal assembly) warning devices, one at entrance to and exit from the station platform);
- Americans with Disabilities Act (ADA) compliant detectable warning tactile strips on each approach to the track;
- Two pull-to-open swing gates at the station platform entrance; and

- California Manual on Uniform Traffic Control Devices standard W82-1(CA) “LOOK BOTH WAYS” signage.

Environmental Review and CEQA Compliance

The California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Section 21000, et seq. applies to discretionary projects to be carried out or approved by public agencies. A basic purpose of CEQA is to inform governmental decision makers and the public about potential, significant environmental effects of the proposed activities. Since the project is subject to CEQA and the Commission must issue a discretionary decision in order for the project to proceed (i.e., the Commission has the exclusive authority to approve the project pursuant to Section 1202 of the Public Utilities Code), the Commission must consider the environmental consequences of the project by acting as either a lead or responsible agency under CEQA.

The lead agency is either the public agency that carries out the project,¹ or the one with the greatest responsibility for supervising or approving the project as a whole.² Here, LACMTA is the lead agency for this project, and the Commission is a responsible agency because it has jurisdiction to issue a permit for the project. As a responsible agency under CEQA, the Commission must consider the lead agency’s environmental documents and findings before acting on or approving this project.³ As a responsible agency, the Commission is responsible for mitigating or avoiding only the direct or indirect environmental

¹ CEQA Guidelines (Title 14 of the California Code of Regulations), Section 15051(a).

² CEQA Guidelines (Title 14 of the California Code of Regulations), Section 15051(b).

³ CEQA Guidelines, Sections 15050(b) and 15096.

effects of those parts of the project which it decides to carry out, finance, or approve.⁴

The LACMTA prepared a Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/R) dated August 2011. The Federal Transit Administration (FTA) issued a Record of Decision on December 30, 2011.

The FEIS/R identified potentially significant environmental impacts and associated mitigation measures related to the project. Impacts identified under CEQA, relating to the safety, traffic/transportation, and noise areas are under the Commission's jurisdiction. Among the impacts noted in the report are:

- Safety at stations, parking facilities, in trains, and at crossings;
- Traffic impacts at the signalized intersection of Crenshaw Boulevard and 54th Street that is impacted with signal cycle lengths at or less than 140 seconds;
- Exceeding the noise criteria at 57th street and West Boulevard at-grade crossing; and
- Exceeding the vibration criteria at 16 locations within the project area.

LACMTA proposes the following mitigation measures to address potential impacts:

- All station and parking facilities will be equipped with monitoring equipment and/or be monitored by LACMTA security personnel on a regular basis.
- LACMTA will implement a security plan for light rail transit (LRT) operations that includes the following measures:

⁴ CEQA Guideline Section 15096(g).

- In-car and station surveillance by LACMTA security or other local jurisdiction security personnel; and
 - Well lit pedestrian station and parking areas that minimize shadows and provide visibility for security personnel to monitor activity; all stations will be lit to a standard of no less than two-foot candles to minimize shadows and ensure that all pedestrian pathways leading to/from sidewalks and parking facilities are well illuminated.
- LACMTA will coordinate and consult with Los Angeles Police Department, Los Angeles County Sheriff's Department, Inglewood Police Department, and the LAX Police to develop safety and security plans for the alignment, parking facilities, and station areas which satisfy the requirements necessary for the appropriate policing jurisdiction to effectively patrol the area.
- The station design will avoid obstructions to visibility or observation and discrete locations favorable to crime; pedestrian access to at-grade, below-grade, and above-grade station entrances/exits will be accessible at ground-level with clear sight lines.
- LACMTA will implement appropriate vehicular and pedestrian warning measures, such as signage along the length of the LRT station platforms. Gates will be provided at vehicular and pedestrian at-grade crossings of the LRT and/or BNSF tracks within the Harbor Subdivision. These measures will be provided to alert motorists and pedestrians to potential conflict in the area.
- To discourage trespassing and enhance safety, such as near Faithful Central Bible Church, LACMTA will provide fencing along either

side of the alignment, between the parking lot and church buildings, and ensure adequate pedestrian safety devices at designated at-grade crossings.

LACMTA proposes the following mitigation measures to address potential traffic impacts at the signalized intersection of Crenshaw Boulevard and 54th Street:

- LACMTA will coordinate with the local jurisdictions to designate and identify haul routes for trucks and to establish hours of operation. The selected routes will also minimize noise, vibration, and other impacts.
- LACMTA will prepare a traffic management plan to facilitate the flow of traffic in and around the construction zone. This traffic management plan will identify a community liaison and will include the following measures:
 - Schedule as much of construction-related travel as possible (i.e., deliveries, hauling, and worker trips) during off-peak hours;
 - Develop detour routes to facilitate traffic movement through construction zones without significantly increasing cut-through traffic in adjacent residential areas;
 - Where feasible, temporarily re-stripe roadway to maximize the vehicular capacity at those locations affected by construction closures;
 - Where feasible, temporarily remove on-street parking to maximize the vehicular capacity at those locations affected by the construction closures;

- Where feasible, traffic control officers will be at major intersections during peak hours to minimize delays related to construction activities;
 - Develop and implement an outreach program to inform the general public about the construction process and planned roadway closures;
 - Develop and implement a program with business owners to minimize impacts to business owners during construction activity, including but not limited to signage programs; and
 - Develop and implement a program to minimize any potential adverse effects to pedestrian movement in the corridor and to maximize pedestrian safety to the extent feasible.
- LACMTA will coordinate with local school districts to disclose potential impacts to school bus routes.
 - Project contractors will provide off-street parking for their employees during the construction period, in order to minimize the impact to adjacent commercial districts.
 - Project contractors will prohibit parking for their employees in adjacent residential neighborhoods, in order to minimize the impacts to nearby residents.

LACMTA proposes to mitigate the potential noise impact at 57th street and West Boulevard grade crossing by limiting warning device noise levels to 103 dBA at 50 feet, subject to approval by the Commission.

LACMTA proposes the following mitigation measures to address potential vibration impacts at 16 locations and reduce levels below FTA threshold values:

- Site-specific testing will be performed during the final design where potential for adverse vibration and ground-borne effects has been identified. Where adverse vibration and ground-borne effects are still predicted, the vibration and ground-borne energy transmitted into the ground will be decreased using design features such as, but not limited to:
 - High-resilience fasteners;
 - Ballast mats; and
 - Floating slab trackbed.
- Vibration and ground-borne reducing design specifications for the track sections will be determined in consultation with a qualified vibration scientist or engineer during the design phase.

With the use of the above-stated mitigation measures, all potential impacts under the Commission's jurisdiction involving safety, traffic, noise, and vibration will be reduced to less-than-significant levels.

LACMTA further prepared a Supplemental Environmental Assessment (SEA), dated July 2, 2012. The SEA was prepared to address project modifications that occurred during the preliminary engineering phase to reduce cost, reduce right-of-way impacts, and improve traffic circulation and pedestrian crossings, among other items. Specifically, the SEA identified the types of equipment at the crossings and features along the corridor that would be required for the project. During preliminary engineering and in consultation with the Commission's Rail Crossings Engineering Section (RCES) staff, designs for street, driveway, and sidewalk modifications were refined to accommodate, where feasible, crossing gates, center medians at crossings, equipment, bus bays, and other amenities to facilitate vehicular and pedestrian circulation. Additional

pedestrian crossing improvements, including a midblock pedestrian crossing, were included in response to public comments.

Subsequently, under the requirements of the National Environmental Policy Act (NEPA), the FTA issued a Finding of No Significant Impact (FONSI) on September 4, 2012.

The Commission reviewed and considered LACMTA's FEIS/R and SEA, and finds the documents adequate for our decision-making purposes.

Filing Requirements and Staff Recommendation

The application is in compliance with the Commission's filing requirements, including Rule 3.9 of the Rules of Practice and Procedure, which relates to the construction of a railroad across a public road, highway, or street.

The Commission's Safety and Enforcement Division RCES staff has reviewed and analyzed the application, and recommends that the requested authority to construct the grade-separated and at-grade pedestrian crossings be granted for a period of three (3) years.

Categorization and Need for Hearings

In Resolution ALJ 176-3311, dated March 21, 2013, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. A public hearing is not necessary, and it is not necessary to disturb the preliminary determinations.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Assignment of Proceeding

Emory J. Hagan is the assigned Examiner in this proceeding.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on March 7, 2013. There are no unresolved matters or protests. A public hearing is not necessary.
2. The LACMTA requests authority, under Public Utilities Code Sections 1201-1205, to construct two-track grade-separated crossings for the Crenshaw/LAX Transit Corridor Project Light Rail Line across Hornet Way in the City of El Segundo, across Aviation Boulevard, I-105 Freeway, Imperial Highway, 111th Street, 104th Street and Century Boulevard in the City of Los Angeles and across Manchester Avenue, La Cienega Boulevard, I-405 Freeway, Hyde Park Boulevard, La Brea Avenue and two pedestrian at-grade crossings at the La Brea - Florence Station in the City of Inglewood, Los Angeles County.
3. The LACMTA is the lead agency for this project under CEQA, as amended.
4. The LACMTA prepared an FEIS/R dated August 2011, and an SEA dated July 2, 2012.
5. In compliance with NEPA, the FTA issued a Record of Decision approving the project, and the FEIS/R, on December 30, 2011. The FTA also issued a FONSI approving the SEA on September 4, 2012.
6. The Commission is a responsible agency for this project and has reviewed and considered the information contained in the FEIS/R and SEA.
7. Safety, traffic, noise, and vibration impacts are areas within the scope of the Commission's permitting process.

8. The FEIS/R and SEA reflect the Commission's independent judgment and analysis.

Conclusions of Law

1. The FEIS/R and SEA are adequate for our decision-making purposes.
2. The FEIS/R and SEA were completed in compliance with CEQA.
3. The application is uncontested and a public hearing is not necessary.
4. The application should be granted as set forth in the following Order.

ORDER

IT IS ORDERED that:

1. The Los Angeles County Metropolitan Transportation Authority is authorized to construct two-track grade separated crossings for the Crenshaw/LAX Transit Corridor Project Light Rail Line across Horner Way in the City of El Segundo, across Aviation Boulevard, I-105 Freeway, Imperial Highway, 111th Street, 104th Street and Century Boulevard in the City of Los Angeles and across Manchester Avenue, La Cienega Boulevard, I-405 Freeway, Hyde Park Boulevard, La Brea Avenue and two pedestrian at-grade crossings at the La Brea - Florence Station in the City of Inglewood, Los Angeles County.

2. The new crossings shall be identified as listed herein in Table 1, and be constructed as specified in the application and attachments.

3. The Los Angeles County Metropolitan Transportation Authority shall comply with all applicable rules, including California Public Utilities Commission General Orders, the United States Department of Transportation's Americans with Disabilities Act Standards for Transportation Facilities, and the California Manual on Uniform Traffic Control Devices.

4. The Los Angeles County Metropolitan Transportation Authority shall notify the California Public Utilities Commission's Safety and Enforcement Division – Rail Crossings Engineering Section at least five (5) business days prior to opening the crossings. Notification must be made to rces@cpuc.ca.gov.

5. Within 30 days after completion of the work under this order, the Los Angeles County Metropolitan Transportation Authority shall notify the California Public Utilities Commission's Safety and Enforcement Division – Rail Crossings Engineering Section in writing, by submitting a completed California Public Utilities Commission Standard Form G (Report of Changes at Highway Grade Crossings and Separations), of the completion of the authorized work. Form G requirements and forms can be obtained at the CPUC web site Form G page at www.cpuc.ca.gov/PUC/safety/Rail/Crossings/formg.htm. This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

6. This authorization shall expire if not exercised within three (3) years unless time is extended or if the above conditions are not satisfied. Authorization may be revoked or modified if public convenience, necessity, or safety so requires.

7. A request for extension of the 3-year authorization period must be submitted to the California Public Utilities Commission's Safety and Enforcement Division – Rail Crossings Engineering Section at least 30 days before its expiration of that period. A copy of the extension request shall be sent to all interested parties.

8. This application is granted as set forth above.

9. Application 13-02-025 is closed.

This order becomes effective 30 days from today.

Dated _____, at San Francisco, California.